

# Walter Reed Army Medical Center BRAC Closure

Section 106 Consultation Meeting  
March 24, 2010

# About Me

- Joseph Scott Murphey
- Registered Architect
- 20 Years of Experience in Section 106 and Military Cultural Resources
- 3 Previous BRAC Rounds

# Contacts

- All communications should be directed to Walter Reed Army Medical Center

# BRAC 2005

- WRAMC is closing in 2011
- Part of the installation is scheduled to be transferred to other federal agencies
- Part of the installation will be privatized
- The LRA is independently planning its redevelopment



# WHY Section 106 NOW?

- BRAC Announced 2005
- Original plan was to transfer all property to other federal agencies
- Federal to Federal transfer is not a Section 106 undertaking
- Recent decision to privatize a section of WRAMC

# Why We Are Here Today

## Section 106

The Army must take into account how its actions effect historic properties as a consideration in decisionmaking.

If those effects are adverse, the Army must seek ways to avoid, reduce or mitigate any adverse effects through consultation.

# The Local Redevelopment Authority (LRA)

- Is authorized by Congress to develop a plan for redevelopment
- Is independent - the Army cannot dictate or direct the LRA in its redevelopment plan
- The Army's placement of encumbrances on historic properties indirectly affects the LRA's redevelopment plan



# Assessing the Impact of the Closure

- The Army will assess the impacts of the LRA's redevelopment plan under NEPA and Section 106
- NEPA = National Environmental Policy Act
- NHPA is under the NEPA umbrella

# NEPA and NHPA

- NHPA integrated with NEPA - public participation component
- Current efforts to determine Environmental Assessment (EA) vs Environmental Impact Statement (EIS)

# Federal Preservation Law

- Section 106 of the National Historic Preservation Act of 1966
- Implemented through the Federal Regulation 36 CFR 800
- See [www.achp.gov](http://www.achp.gov) for more information

# Army Responsibilities

- Identify
- Evaluate
- Assess Effects
- Consult to resolve any adverse effects

# Identify

- First determine the Area of Potential Effect (APE)
- Determine if historic properties are present through inventory and assessment

# Army Identification Efforts

- No currently known archeological sites
- Low potential for archeology
- 1994 Christopher Goodwin and Associates Historic Context
- Historic district proposed in 94
- Data gaps need to be filled to complete the identification efforts

# Evaluate

- Determine if the properties meet criteria for eligibility for the National Register of Historic Places (National Register Bulletin #15) - Four Criterion:
  - A Events
  - B Significant People
  - C Design
  - D Information Potential (archeology)

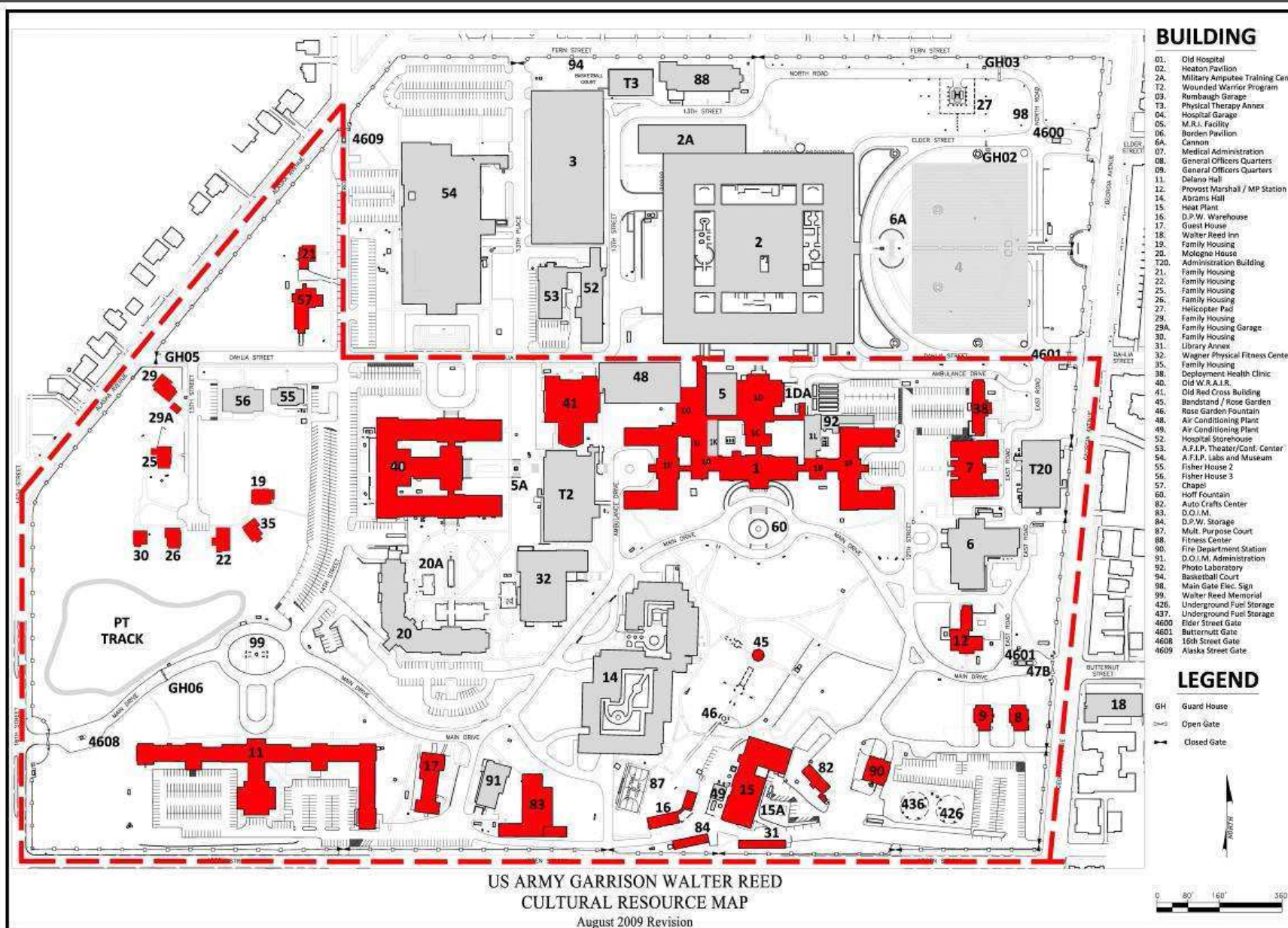
# Evaluation Process

- Develop Historic Context (s)
- Establish Period of Significance
- Evaluate the property within the context during the period of significance under the Criteria (A-D)
- Properties less than 50 have special criteria considerations (Criterion Consideration G)



# WRAMC Historic District

- Army established a eligible district in 94
- DC Preservation League submitted a nomination earlier this year - largely based upon Goodwin & Assoc work
- Army seeks to join the DCPL to ensure the nomination is as complete and accurate as possible
- Determine if data gaps are present and fill-in



# Assess Effects

- Effects are adverse when they diminish the qualities that make the property NRHP eligible
- Qualities = Location, Setting, Design, Materials, Workmanship, Feeling and Association
- Effects can only be assessed when the Army receives the LRA redevelopment plan

# Consult

- Resolve adverse effects through consultation
- Seek ways to avoid, reduce or mitigate adverse effects

# Avoid

- Avoiding BRAC is not an option
- Preservation covenants can avoid adverse effects by requiring the new owner to maintain the property to Secretary of the Interior's Standards
- Effective covenant language is key.

# Reduce

- Preservation Zoning may reduce adverse effects by placing restrictions on future uses
- Zoning is changeable and therefore not an avoidance of adverse effects

# Mitigate

- Mitigation is compensation for damage or loss of a historic property

## Examples

- Documentation
- Oral Histories
- Popular Histories

Mitigation is determined through consultation

# Agreement Documents

- A written agreement formalizes the results of the consultation into a legally binding document.

## Two Types

- Memorandum of Agreement (MOA)
- Programmatic Agreement (PA)



# Agreement Structure

- Whereas Clause
- Stipulations
- Housekeeping

Dispute Resolutions

Termination

# Fulfilling Section 106

Implementation of the PA fulfills the  
Army's Section 106 responsibilities

# Type of Participants

- Consulting Parties = Everyone who participated
- Concurring Parties = Those who participated in the consultation and concur
- Signatory Parties = Those who participated in the consultation, concur and have responsibilities under the agreement

# Mandatory Signatories

- ARMY
- DC Preservation Office (SHPO)
- Advisory Council on Historic Preservation ?

# Way Forward

- Await the LRA's redevelopment plan to assess impacts under NEPA/Section 106 - reactive
- Move forward with developing a Programmatic Agreement that stipulates the treatment of historic properties upon transfer from federal control - proactive
- Quicker a PA is signed, the more influence it has on the redevelopment

# Discussion

- Questions
- Open discussion of concerns
- Next meeting